Remarks/Arguments

In the Office Action mailed February 26, 2010, claims 18-22, 50-54, 69, 76, 79, 86, and 92-94 were pending. Claims 93-94 were rejected under 35 U.S.C. § 112 ¶ 2 as being indefinite. Claims 18-20, 22; 50-52, 54, 69, 76, 79, and 86 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2002/0002590 by King et al. Claims 21,53 were rejected under 35 U.S.C. § 103(a) as being unpatentable by U.S. Patent Publication No. 2002/0002590 by King et al. in view of U.S. Patent No. 5,341,505 by Whitehouse. Claims 92-94 were rejected under 35 U.S.C. § 103(a) as being unpatentable by U.S. Patent Publication No. 2002/0002590 by King et al. in view of U.S. Patent Publication No. 2001/0020242 by Gupta, et al.

Claims 93-94 were rejected under 35 U.S.C. § 112 ¶ 2 as being indefinite. This rejection is respectfully traversed. Claim 93 was rejected for claiming a "*vanity email address*". This term is well know by persons reasonably skilled in the relevant art to be an email address that is personally selected instead of the name of an email account used as an email address. A web article is attached explaining "*vanity email addresses*". And example is given in paragraph [0072] of applicants' specification:

> Electronic account number 302 can be linked to a customer's electronic address 304, e.g., a vanity e-mail address, and the customer's physical address 306. The electronic address could also be, for example, a facsimile number or telephone number. In one embodiment, a customer can choose the construction of vanity e-mail address 304 (e.g., joesmith@usps.gov). Physical address 306 is typically where the customer receives mail. For example, physical address 306 can be the customer's residence expressed as `123 Main Street, Memphis, Tenn. 38118.` Consistent with the present invention, the customer can provide the physical

> address to be linked to the electronic account, so a customer could select a home address or a work address, for example.

In that sentence, "*joesmith@usps.gov*" is a vanity email address. The undersigned Attorney has, at a minimum, the following vanity email addresses: bhayden@ieee.org; bhayden@computer.org; bhayden@azbar.net; and bhayden@coloradocollege.edu. None of these are actual email accounts. Rather, vanity email addresses tend to be forwarding addresses.

Claim 94 was rejected as conflicting with Claim 93, from which it depends. The examiner stated that "*Claim 93 states that the alternate email address is an email [address] but claim 94 conflicts with claim 93 and says [that] the email address which is an alternate electronic address is also a telephone number*". There is no conflict there. As noted above, a vanity email address is an email address that is personally picked. Claim 94 merely includes the limitation that the vanity address so picked is a telephone number. Therefore, the undersigned Attorney may utilize 7755869500@USPS.GOV as a vanity email address that forwards his email to his work email account.

It is respectfully submitted that the term "*vanity email address*" is reasonably well known in the relevant art and described in specification of the above-identified patent application, and that one of the examples given of such an address is the use of a personal telephone number as a personalized (i.e. "*vanity*") email address. It is therefore respectfully submitted that a *prima facie* case of indefiniteness has not been established, that this rejection of these claims is improper, and requested that it be withdrawn.

Claims 18-20, 22; 50-52, 54, 69, 76, 79, and 86 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2002/0002590 by King et al. This rejection is respectfully traversed

35 U.S.C. § 102(e) provides that:

> A person shall be entitled to a patent unless –
> (e) the invention was described in - (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

The King reference was filed on March 9, 2001 claiming priority to U.S. provisional application number 60/188,006 filed March 9, 2000. This application was filed March 16, 2001 claiming priority to their U.S. provisional application number 60/189,983 filed March 17, 2000, eight days later after the King provisional application was filed. However, at the time that the King provisional application was filed, the above-identified invention was completed, reduced it to practice, and was in the final stages of preparing their provisional application for filing. Declarations under 37 C.F.R. § 1.131 are attached herewith establishing previous invention, reduction to practice, and diligence. The attachments to U.S. provisional application number 60/189,983 referenced in the declarations were incorporated by reference into the above-identified patent application, and so are of record.

Since the King priority document was filed after the invention by the inventors of the above-identified patent application, it does not anticipate these claims under 35 U.S.C. § 102(e). It is therefore respectfully submitted that a *prima facie* case of anticipation has not been established for this reference, that this rejection of these claims is improper, and requested that it be withdrawn.

Claims 21,53 were rejected under 35 U.S.C. § 103(a) as being unpatentable by U.S. Patent Publication No. 2002/0002590 by King et al. in view of U.S. Patent No. 5,341,505 by Whitehouse. This rejection is respectfully traversed. The arguments made in previous amendments in regards to the King reference are reargued and incorporated herein by reference. It is therefore respectfully submitted that a *prima facie* case of obviousness under these references has not been established, that this rejection of these claims is improper, and requested that it be withdrawn.

Claims 92-94 under 35 U.S.C. § 103(a) were rejected as being unpatentable by U.S. Patent Publication No. 2002/0002590 by King et al. in view of U.S. Patent Publication No. 2001/0020242 by Gupta, et al. This rejection is respectfully traversed. The arguments made in previous amendments in regards to the King reference are reargued and incorporated herein by reference. It is therefore respectfully submitted that a *prima facie* case of obviousness under these references has not been established, that this rejection of these claims is improper, and requested that it be withdrawn.

It is believed that the above-identified application is now in condition for allowance and such action is respectfully requested.

If the Examiner has any questions regarding this application or this response, the Examiner is requested to telephone the undersigned at 775-586-9500.

Respectfully Submitted,
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Attached: Declarations under 37 C.F.R. § 1.131
Article titled: "*How Vanity Email Works*"